

REMARKS

Claims 1-15 are all the claims pending in the application.

Claims 1-3 and 7-12 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Ishida et al., which the Examiner cited to, but did not apply against the claims, in the previous Office Action. Applicant traverses these rejections because Ishida et al. fails to disclose or suggest all of the claim limitations. Specifically, Ishida et al. fails to disclose or suggest at the least the following limitations:

Claim 1:

an operating condition setting circuit for controlling an optimally amplified frequency band by setting an operating condition of the input stage amplifier;

Claim 8:

a setting circuit, coupled to the common amplifier, for setting an operating condition of the common amplifier based on a frequency band of the input signal.

The Examiner asserts that second local oscillator 12 in figure 2 is the claimed operation condition setting circuit and intermediate transmission frequency amplifier 20 is the claimed input stage amplifier. Applicant respectfully disagrees. The operating condition setting circuit must control an optimally amplified frequency band by setting an operating condition of the input stage amplifier. However, there is no disclosure in Ishida et al. of the intermediate transmission frequency amplifier 20 being controlled to set an operating condition of the amplifier. No control signal to the intermediate transmission frequency amplifier 20 is shown in any of the figures, let alone a control signal from the second local oscillator 12. The Examiner's

reference to figure 27 and col. 24, lines 1-35, also fails to disclose control of the amplifier. Col. 24 states that the voltage VT is used to vary the frequency of the VCO, but nowhere does it disclose that any signal from the second local oscillator 12 is used to control the intermediate transmission frequency amplifier 20.

Also, even if one were to assume that high frequency band-pass filters 23a and 23b are the claimed high and low pass filters, respectively, those filters are not connected to an output of intermediate transmission frequency amplifier 20. Rather, they are connected to intermediate transmission frequency band-pass filter 21.

Regarding claims 2, 3, 7 and 9-12, they should be allowable at least based on their dependence from claims 1 and/or 8 for the reasons described above. In addition, contrary to the Examiner's assertions regarding claims 2 and 11, there is no disclosure in col. 24, lines 1-35, of the setting of bias voltages for transistors in intermediate transmission frequency amplifier 20.

Claims 4-7 and 13-15 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Ishida et al. in view of Dent et al. Applicant traverses these rejections because Ishida et al. and Dent et al. fail to disclose or suggest all of the claim limitations. These claims should be allowable at least based on their dependence from claims 1 and/or 8 for the reasons described above and because Dent et al. fails to make up for the deficiencies of Ishida et al.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

RESPONSE UNDER 37 C.F.R. §1.111
USSN: 10/090,819

Q68804

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Carl J. Pellegrini
Registration No. 40,766

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: December 28, 2005